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DEPARTMENT OF BUSINESS AND INDUSTRY
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

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**MINUTES OF THE WORKSHOP TO SOLICIT COMMENTS FOR NEW REGULATIONS
OR CHANGES TO EXISTING REGULATIONS PERTAINING TO THE PRACTICE AND
PROCEDURE BEFORE THE EMRB AND THE FILING OF ANNUAL REPORTS**

A workshop of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Monday, August 10, 2015, at the hour of 2:00 p.m. at the Bradley Building, 2501 E. Sahara Avenue, Suite 203, Las Vegas, Nevada 89104.

The workshop was conducted by EMRB Commissioner Bruce K. Snyder.

Also present representing the EMRB were: Scott Davis, Esq., Deputy Attorney General

Present from the public were: Jen Sarafina, Esq., Kamer Zucker Abbott
Jay Roberts, Esq., Las Vegas Police Managers &
Supervisors Association

The Agenda:

- Item 1 Public Comment.**
No public comment was offered.
- Item 2-7 2: Changes to eliminate the filing of multiple copies of various pleadings.**
3: Regulation to allow for the electronic filing of documents.
4: Changes regarding the annual filings by local governments.
5: Changes regarding the annual filings by employee organizations.
6: Regulation allowing the Commissioner to approve extensions of time under certain conditions in lieu of Board approval.
7: Repeal of NAC 288.338 pertaining to parties drafting findings of fact and conclusions of law.

Commissioner Snyder simultaneously opened items 2 through 7 on the agenda. He then explained that most of the proposed permanent regulation is similar to a temporary regulation that has been in effect since late February of this year. He further explained that the Legislative Counsel Bureau had improved upon the language of the temporary regulation and had also included in the proposed permanent regulation the repeal of NAC 288.228, which concerns the parties to a case preparing the findings of fact and conclusions of law. Commissioner Snyder explained that for years the parties have not prepared the findings of fact and conclusions of law but, rather, this has been done by the Deputy Attorney General assigned to the agency.

Jen Sarafina asked whether the repeal of NAC 288.338 would affect the rights of parties to a case, whereupon Commissioner Snyder assured her that no rights would be affected. Parties would continue to have the right to file for a rehearing of a case and/or file a Petition for Judicial Review in court and that the repeal of NAC 288.338 would only confirm the current practice of having the agency draft the findings of fact and conclusions of law.

Deputy Attorney General Davis then confirmed that the change does not in any manner affect a party's ability to contest a Board decision.

With respect to item 3, Jay Roberts inquired as to the details of e-filing a document. Commissioner Snyder then explained the process, that it is as simple as sending an e-mail to the agency, that there is no cost to do so, and that at least 97% of the documents filed since late February have been e-filed. He further explained that the proposed permanent regulation does not change this process but that we now are conducting a workshop and then a public hearing solely to convert the temporary regulation into a permanent regulation.

Jen Sarafina inquired about whether local governments had to update the information in their annual filing should that information change during the year, whereupon Commissioner Snyder stated that there is no provision in the law for a local government or an employee organization to be required to do so and that the law only requires an annual filing every November. He further stated that perhaps this could be addressed by the legislature in a future session as the information submitted can subsequently change during the year. Commissioner Snyder also stated that the information from the annual filings will soon be available on the agency's website, just as all collective bargaining agreements are now on the website.

With respect to item 6, Commissioner Snyder explained the process to grant a stipulation to extend time and that he can only do so if granting such an extension will not cause a delay in any hearing. He further explained that the new process has been well received and that extensions are granted the same day as requested instead of having to wait for the next Board meeting, as was the prior practice.

Item 8 Additional Period of Public Comment.

Note: The following comments are on subjects other than the proposed regulation but are welcomed by the agency.

Jay Roberts inquired as to the number of cases filed and whether the agency needed additional resources to handle the caseload. Commissioner Snyder then explained some possible solutions to hearing cases on a more expedited basis. He further explained that the agency is under a performance measure for hearing cases and that it is working to meet that performance measure.

Jay Roberts also inquired about a current case before the Board that calls for the Board to interpret Senate Bill 241, which recently became law, and whether the Board might entertain petitions to intervene or the filing of *amicus* briefs. Commissioner Snyder stated that this was to be discussed at the August Board meeting and that the Board would likely entertain both processes. Commissioner Snyder further stated that the case was being heard on an expedited basis, pursuant to the requirements of Senate Bill 241, and that everyone recognizes the importance of the case.

The workshop adjourned at 2:25 p.m.

Respectfully submitted,



Bruce K. Snyder
EMRB Commissioner

